



# City of Pensacola

## City Council

### Agenda - Final

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Thursday, February 10, 2022, 5:30 PM

Council Chambers, 1st Floor

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**Members of the public may attend the meeting in person. City Council encourages those not fully vaccinated to wear face coverings that cover their nose and mouth.**

The meeting can be watched via live stream at [cityofpensacola.com/video](http://cityofpensacola.com/video). Citizens may submit an online form at <https://www.cityofpensacola.com/ccinput> BEGINNING AT 3:00 P.M.

#### ROLL CALL

#### INVOCATION

#### PLEDGE OF ALLEGIANCE

Council Member Jared Moore

#### FIRST LEROY BOYD FORUM

#### AWARDS

#### APPROVAL OF MINUTES

1. [22-00170](#) APPROVAL OF MINUTES: REGULAR MEETING DATED JANUARY 20, 2022

*Attachments:* [Draft: Regular Meeting Minutes Dated 1/20/22](#)

#### APPROVAL OF AGENDA

#### CONSENT AGENDA

2. [22-00041](#) AWARD OF BID NO. 22-011 - PLAZA DE LUNA HURRICANE REPAIRS PROJECT
- Recommendation:** That City Council award Bid No. 22-011 Plaza De Luna Hurricane Repairs Project to Emerald Coast Constructors, Inc., of Pensacola Florida, the lowest and most responsible bidder with a base bid of \$1,227,630.00 plus a 10% contingency in the amount of \$122,763.00 for a total amount of \$1,350,393.00. Further, that City Council authorize the Mayor to execute the contract and take all action necessary to complete the project.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Bid Tabulation, Bid No. 22-011](#)  
[Final Vendor Reference List, Bid No. 22-011](#)
3. [22-00109](#) PUBLIC WORKS AND FACILITIES - AWARD OF BID #22-013 "I" STREET STORM PIPE REHABILITATION PROJECT
- Recommendation:** That City Council award Bid #22-013 "I" Street Storm Pipe Rehabilitation Project to Nu-Pipe, LLC of Charleston, South Carolina, the lowest and most responsible bidder with a total bid of \$319,926.10 plus a 10% contingency in the amount of \$31,992.61 for a total amount of \$351,918.71. Further, that City Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Bid Tabulation, Bid No. 22-013](#)  
[Final Vendor Reference List, Bid No. 22-013](#)  
[Aerial Map Depicting Limits of Pipe Rehabilitation Project](#)  
[Supplemental Budget Resolution No. 2021-98 - adopted by Council](#)
4. [22-00136](#) AWARD OF BID NO. 22-002 - GARDEN STREET LANDSCAPE PROJECT FROM "A" STREET TO ALCANIZ STREET
- Recommendation:** That the City Council award Bid No. 22-002 for Garden Street Landscaping from "A" Street to Alcaniz Street to The Wallace Company, the lowest and most responsive bidder in the amount of \$564,391.80 plus a 10% contingency in the amount of \$56,439.32 for a total amount of \$620,831.12.
- Sponsors:** Teniade Broughton
- Attachments:** [22-002 FINAL tab](#)  
[Final Vendor Reference List Bid 20-002](#)  
[Garden Street Landscaping Signed & Sealed](#)

## REGULAR AGENDA

5. [22-00047](#) QUASI-JUDICIAL HEARING - FINAL SUBDIVISION PLAT - THE LANDING AT DEVILLIERS
- Recommendation:** That City Council conduct a quasi-judicial hearing on February 10, 2022, to consider approval of the Final Subdivision Plat - The Landing at DeVilliers.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [The Landing at DeVilliers Final Plat Application](#)  
[Planning Board Minutes January 11 2022 DRAFT](#)
6. [22-00151](#) APPROVAL OF THE TERM SHEET BETWEEN THE CITY OF PENSACOLA AND INSPIRED COMMUNITIES OF FLORIDA, LLC (INSPIRED) FOR THE DEVELOPMENT OF LOTS 4 AND 5 AT THE COMMUNITY MARITIME PARK
- Recommendation:** That the City Council approve in concept the term sheet between the City of Pensacola and Inspired Communities of Florida, LLC. The Mayor or designee will then use this term sheet to negotiate a final lease that will be returned to City Council for their approval.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [ICF Maritime 45 Term Sheet Final](#)
7. [22-00152](#) APPROVAL OF THE OPTION AGREEMENT BETWEEN THE CITY OF PENSACOLA AND INSPIRED COMMUNITIES OF FLORIDA, LLC (INSPIRED) FOR LOTS 4 AND 5 AT THE COMMUNITY MARITIME PARK
- Recommendation:**
- That City Council approve and authorize the Mayor to execute the Option Agreement between the City of Pensacola and Inspired Communities of Florida LLC. for the exclusive right to develop Parcels 4 and 5 of the Vince J. Whibbs Jr. Community Maritime Park, until August 31, 2023 as well as allow for one 6-month extension at the Optionee's discretion.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [IFC Maritime 45 Option Final](#)

8. [22-00077](#) PORT OF PENSACOLA - FLORIDA SEAPORT TRANSPORTATION ECONOMIC DEVELOPMENT (FSTED) GRANT NO. 445548-1-94-02, LANDSIDE IMPROVEMENTS
- Recommendation:** That City Council authorize the Mayor to execute Florida Seaport Transportation Economic Development (FSTED) Grant No. 445548-1-94-02 for Hurricane Sally-related landside improvements in the amount of \$453,131. Further, that City Council authorize the Mayor to take all actions necessary to accept, execute and administer the grant. Finally, that City Council adopt a supplemental budget resolution appropriating the grant funds.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Grant Agreement No. 445548-1-94-02](#)  
[Supplemental Budget Resolution No. 2022-021](#)  
[Supplemental Budget Explanation No. 2022-021](#)
9. [2022-021](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2022-021 FLORIDA SEAPORT TRANSPORTATION ECONOMIC DEVELOPMENT (FSTED) GRANT NO. 445548-1-94-02, LANDSIDE IMPROVEMENTS
- Recommendation:** That City Council adopt Supplemental Budget Resolution No. 2022-021
- A RESOLUTION AUTHORIZING AND MAKING REVENUE REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022; PROVIDING FOR AN EFFECTIVE DATE.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Supplemental Budget Resolution No. 2022-021](#)  
[Supplemental Budget Explanation No. 2022-021](#)

10. [22-00096](#) PORT OF PENSACOLA - FLORIDA SEAPORT TRANSPORTATION ECONOMIC DEVELOPMENT (FSTED) GRANT NO. 445549-1-94-03, WATERSIDE IMPROVEMENTS
- Recommendation:** That City Council authorize the Mayor to execute Florida Seaport Transportation Economic Development (FSTED) Grant No. 445549-1-94-03 for Hurricane Sally-related waterside improvements in the amount of \$628,581. Further, that City Council authorize the Mayor to take all actions necessary to accept, execute and administer the grant. Finally, that City Council adopt a supplemental budget resolution appropriating the grant funds.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Grant Agreement No 445549-1-94-03](#)  
[Supplemental Budget Resolution No. 2022-024](#)  
[Supplemental Budget Explanation No. 2022-024](#)
11. [2022-024](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2022-024 FLORIDA SEAPORT TRANSPORTATION ECONOMIC DEVELOPMENT (FSTED) GRANT NO. 445549-1-94-03, WATERSIDE IMPROVEMENTS
- Recommendation:** That City Council adopt supplemental Budget Resolution 2022-024
- A RESOLUTION AUTHORIZING AND MAKING REVENUE REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022; PROVIDING FOR AN EFFECTIVE DATE.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Supplemental Budget Resolution No. 2022-024](#)  
[Supplemental Budget Explanation No. 2022-024](#)
12. [22-00044](#) PENSACOLA INTERNATIONAL AIRPORT - STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSPORTATION GRANT AGREEMENT NO. 435717-7-94-01
- Recommendation:** That City Council approve the acceptance of the Public Transportation Grant Agreement No. 435717-7-94-01 in the amount of \$275,000 to provide partial funding for the construction phase of the rehabilitation of the North half of Taxiway A at the Pensacola International Airport. Further, that City Council approve the grant resolution and authorize the Mayor to take all actions necessary relating to the acceptance and execution of the grant.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [State of Florida Department of Transportation Public Transportation Resolution No. 2022-013](#)

13. [2022-013](#) RESOLUTION NO. 2022-013 - STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSPORTATION AGREEMENT NO. 435717-7-94-01

**Recommendation:** That City Council adopt Resolution No. 2022-013.

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PENSACOLA TO EXECUTE THE PUBLIC TRANSPORTATION GRANT AGREEMENT NO. 435717-7-94-01 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR TAXIWAY A REHABILITATION - CONSTRUCTION AT THE PENSACOLA INTERNATIONAL AIRPORT; PROVIDING AN EFFECTIVE DATE.

**Sponsors:** Grover C. Robinson, IV

**Attachments:** [Resolution No. 2022-013](#)  
[State of Florida Department of Transportation Public Transportation](#)

14. [22-00084](#) TRANSFER OF FUNDS WITHIN THE AMERICAN RESCUE PLAN ACT (ARPA) FUND TO PROVIDE FUNDING FOR EXPENSES RELATED TO THE CLOSURE OF THE I-110 ENCAMPMENT

**Recommendation:** That City Council authorize the Mayor to transfer funds within the American Rescue Plan Act (ARPA) Fund to provide funding for expenses related to the closure of the I-110 encampment.

**Sponsors:** Grover C. Robinson, IV

**Attachments:** [ARPA Projects 12312021](#)

15. [22-00094](#) PLAYGROUND EQUIPMENT PURCHASE AND INSTALLATION - BAYVIEW PARK

**Recommendation:** That City Council approve the purchase and installation of a playground structure for Bayview Park Playground from Kompan, Inc., through Omini Partners cooperative purchasing (Contract #2017001135) for \$301,818.54 plus a requested 10% contingency of \$30,181.85 for a total amount of \$332,000.39. Further, that City Council authorize the Mayor to take all actions necessary to execute the contract and complete the project.

**Sponsors:** Grover C. Robinson, IV

**Attachments:** [Legislative Action Item No. 22-00057](#)  
[Bayview Playground Map and Equipment](#)

16. [22-00132](#) WORKSHOP ON THE CLIMATE MITIGATION AND ADAPTATION TASK FORCE RECOMMENDATIONS

**Recommendation:** That City Council schedule a workshop to get a presentation on the Climate Mitigation and Adaptation Task Force report and recommendations. Further, that Council authorize the Council President and Council Executive to schedule the workshop.

**Sponsors:** Sherri Myers

**Attachments:** [Pensacola-Climate-Task-Force-Report-2018](#)

17. [22-00055](#) DISPARITY STUDY REGARDING ON HIRING PRACTICES WITHIN THE CITY AND THE IMPACT ON WOMEN

**Recommendation:** That City Council allocate \$50,000 to hire a consultant to look at the hiring practices of the City of Pensacola and the impact of the practices on women.

**Sponsors:** Sherri Myers

**Attachments:** [Active Full Time Women](#)

18. [22-00135](#) FEASIBILITY STUDY FOR A SUMMIT BOULEVARD ROAD DIET

**Recommendation:** That City Council authorize the Mayor to transfer funds within the American Rescue Plan Act (ARPA) Fund to provide funding for expenses related to a Road Diet Feasibility Study on Summit Boulevard

**Sponsors:** Jared Moore

19. [22-00146](#) RECOMMENDATION TO THE CHARTER REVIEW COMMISSION REGARDING A CITIZENS' BILL OF RIGHTS

**Recommendation:** That City Council send a recommendation to the Charter Review Commission to entertain adding a Citizens' Bill of Rights to the Pensacola City Charter, modeled after the City of Miami Citizens' Bill of Rights.

**Sponsors:** Sherri Myers

**Attachments:** [Miami Citizens' Bill of Rights](#)

20. [2022-025](#) RESOLUTION NO. 2022-025 - SUPPORTING A MAINTENANCE AGREEMENT FOR US 90 OVER BAYOU TEXAR BRIDGE (FPID ID: 218608-4-52-01) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION

**Recommendation:** That City Council adopt Resolution No. 2022-025:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA SUPPORTING A MAINTENANCE AGREEMENT FOR US 90 OVER BAYOU TEXAR BRIDGE (FPID ID: 218608-4-52-01); PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:** Grover C. Robinson, IV

**Attachments:** [RESOLUTION NO. 2022-025](#)  
[Maintenance Agreement US90 Bayou Texar Bridge](#)

21. [2022-018](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2022-018 - APPROPRIATION OF FUNDING FOR ADDITIONAL PERSONNEL AND EQUIPMENT IN INSPECTIONS

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 2022-018:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS TO BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022; PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:** Grover C. Robinson, IV

**Attachments:** [Supplemental Budget Resolution No. 2022-018](#)  
[Supplemental Budget Explanation No. 2022-018](#)

22. [02-22](#) PROPOSED ORDINANCE NO. 02-22 - AMENDING SECTION 3-1-11 COUNCIL RESERVE (GENERAL FUND)

**Recommendation:** That City Council approve Proposed Ordinance No. 02-22 on first reading.

AN ORDINANCE AMENDING SECTION 3-1-11 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, COUNCIL RESERVE (GENERAL FUND) TO PROVIDE THE FINANCE DIRECTOR THE AUTHORITY TO DETERMINE IF ANNUAL INTEREST EARNINGS SHOULD BE APPLIED TO THE RESERVE BALANCE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**Sponsors:** Grover C. Robinson, IV

**Attachments:** [Proposed Ordinance No. 02-22 .docx](#)

23. [01-22](#) REVISED: PROPOSED ORDINANCE NO. 01-22 - PROPOSED AMENDMENT TO CHAPTER 7-9 OF THE CODE OF THE CITY OF PENSACOLA - DOCKLESS SHARED MICROMOBILITY DEVICES PILOT PROGRAM

**Recommendation:** The City Council adopt Proposed Ordinance No. 01-22 as revised on second reading:

AN ORDINANCE OF THE CITY OF PENSACOLA, FLORIDA AMENDING CHAPTER 7-9 OF THE CODE OF THE CITY OF PENSACOLA TO REGULATE A DOCKLESS SHARED MICROMOBILITY DEVICE PILOT PROGRAM; PROVIDING FOR INDEMNIFICATION AND INSURANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:** Grover C. Robinson, IV

**Attachments:** [Revised for 2nd Reading - Proposed Ordinance No. 01-22](#)  
[2nd Revision Map - Proposed Shared Micromobility Devices Franch](#)  
[Revisions Approved as Amended on 1st Reading - Proposed Ordina.](#)  
[1st Revision to Map - Proposed Shared Micromobility Devices Franc.](#)  
[Original Draft - Proposed Ordinance No. 01-22](#)  
[Original Map - Proposed Shared Micromobility Devices Franchise Ar](#)

24. [03-22](#) PROPOSED ORDINANCE NO. 03-22 - AMENDMENT TO LAND DEVELOPMENT CODE SECTION 12-3-31 (6) AND TABLE 12-3-31.12 - COMMUNITY REDEVELOPMENT AREA (CRA) URBAN DESIGN OVERLAY
- Recommendation:** That City Council adopt Proposed Ordinance No. 03-22 on second reading:
- AN ORDINANCE AMENDING SECTION 12-3-31 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, COMMUNITY REDEVELOPMENT AREA (CRA) URBAN DESIGN OVERLAY DISTRICT STANDARDS; REVISING SECTION 12-3-31 (6) MODIFICATIONS AND APPEALS AND TABLE 12-3-31.12 GLAZING REQUIREMENTS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.
- Sponsors:** Teniade Broughton
- Attachments:** [REVISED - APPROVED ON 1ST READING Proposed Ordinance No. 03-22](#)  
[Proposed Ordinance No. 03-22](#)  
[Planning Board Minutes 12-14-21](#)
25. [05-22](#) PROPOSED ORDINANCE NO. 05-22 - AMENDING SECTION 11-4-182 OF THE CITY CODE - USE OF RIGHTS-OF-WAY BY WIRELESS COMMUNICATIONS FACILITIES
- Recommendation:** That City Council adopt Proposed Ordinance No. 05-22 as revised on second reading:
- AN ORDINANCE AMENDING SECTION 11-4-182 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; USE OF RIGHTS-OF-WAY BY WIRELESS COMMUNICATIONS FACILITIES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.
- Sponsors:** Casey Jones
- Attachments:** [APPROVED - REVISED FOR 1ST READING Proposed Ordinance No. 05-22](#)  
[SUMMARY OF 5G ORDINANCE QUESTIONS AND MODIFICATIONS Proposed Ordinance No. 05-22](#)

26. [2022-026](#) RESOLUTION NO. 2022-026 - EXPRESSING ITS OPPOSITION TO THE SENATE BILL 280 WHICH REQUIRES LOCAL GOVERNMENT TO PREPARE AND PUBLISH A "BUSINESS IMPACT STATEMENT" BEFORE ADOPTING AN ORDINANCE AFTER OCTOBER 1, 2022.

*Recommendation:* That City Council adopt Resolution No. 2022-026.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA EXPRESSING ITS OPPOSITION TO THE SENATE BILL 280 WHICH WOULD SEVERELY HAMPER THIS COUNCIL'S LEGISLATIVE AUTHORITY TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF ITS CITIZENS; PROVIDING AN EFFECTIVE DATE.

*Sponsors:* Ann Hill, Grover C. Robinson, IV

*Attachments:* [Resolution No. 2022-026](#)  
[SB 280 Senator Hutson](#)  
[Summary of SB 280 \(Hutson\) relating to Local Ordinance](#)

**COUNCIL EXECUTIVE'S REPORT**

**MAYOR'S COMMUNICATION**

**COUNCIL COMMUNICATIONS**

**CIVIC ANNOUNCEMENTS**

**SECOND LEROY BOYD FORUM**

**ADJOURNMENT**

*Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the invocation and to stand and recite the Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.*

*If any person decides to appeal any decision made with respect to any matter considered at such meeting, he will need a record of the proceedings, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.*

*The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to City services, programs and activities. Please call 435-1606 (or TDD 435-1666) for further information. Request must be made at least 48 hours in advance of the event in order to allow the City time to provide the requested services.*